



Appeal Decision

Site visit made on 17 September 2021

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 October 2021

Appeal Ref: APP/J1915/D/21/3275980

191 Horns Mill Road, Hertford SG13 8HD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr John Ellard against the decision of East Hertfordshire District Council.
 - The application Ref 3/21/0333/HH, dated 9 February 2021, was refused by notice dated 19 April 2021.
 - The development proposed is the erection of a ground floor rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. It is considered that the main issue is the effect of the proposed development on the living conditions of the occupiers of 193 Horns Mill Road.

Reasons

3. The appeal scheme includes the erection of a single storey extension to the rear of an end of terrace 2-storey dwelling. The scale of the proposed extension would be similar to an addition to the rear of 189 Horns Mill Road whose flank wall is sited on the shared boundary with the property. By reason of the existing addition, there would be no adverse impact caused by the appeal scheme to the living conditions of the occupiers of No. 189.
4. However, a flank wall of the proposed extension would be sited adjacent to the shared boundary with No. 193 which does not possess a rear addition. Within the rear elevation at ground floor level are a window and a glazed door which provide sunlight and daylight to, and outlook from, a combined kitchen and dining area.
5. There would be no reduction in the level of sunlight reaching the rear openings of No. 193 because it is sited to the south of the property. There may be some impact on the level of daylight reaching the rear openings of No. 193 but any change would not be significant and would not alone be a reason for this appeal to fail.
6. However, the scale, bulk and siting of the flank wall of the proposed extension would visually dominate the outlook from the rear openings of No. 193 in a similar manner to the effect of the rear addition at No. 189 on the outlook of the occupiers of the appeal property. In making this assessment the partial

lowering of the ground level of the sloping garden and the existing boundary fence have been taken into account but there would be a significant detrimental impact caused to the outlook of the occupiers of No. 193 by reason of the scale, bulk and siting of the appeal scheme.

7. Reference has been made by the appellant to personal circumstances to support the proposed development, including future proofing the property. However, the occupiers of the property and their personal circumstances could change at a future date but the unacceptable harm caused by the appeal scheme to the occupiers of No. 193 would remain. Limited weight has been given to these personal circumstances in the determination of this appeal.
8. For the reasons given, it is concluded that the proposed development would cause unacceptable harm to the living conditions of the occupiers of 193 Horns Mill Road and, as such, there would be a conflict with Policy DES4 of East Herts District Plan which requires development, including extensions, to avoid significant detrimental impacts on the amenity of occupiers of neighbouring properties and land. Accordingly, it is concluded that this appeal should be dismissed.

D J Barnes

INSPECTOR